

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

John K. Goodrow,	:	
Plaintiff,	:	
v.	:	Civil Action No: 3:11-cv-00020-MHL
	:	(Consolidated)
Friedman & MacFadyen, P.A. and	:	
Johnie R. Muncy,	:	
Defendants.	:	

**DEFENDANTS' MOTION FOR ENLARGEMENT OF
PERMISSIBLE NUMBER OF PAGES FOR THEIR MOTION TO DISMISS**

COME NOW the Defendants, by counsel, and move for an enlargement of the permissible number of pages for the Motions to Dismiss they anticipate filing on October 12, 2012. In support of this Motion, Defendants state as follows:

1. Plaintiffs in the *Chatter* and *Banks* matters have filed, respectively, Amended Complaints of 32 and 34 pages.
2. The *Chatter* and *Banks* Amended Complaints include allegations of breach of fiduciary duty, fraud, the RICO statute, and two claims seeking to proceed as class actions.
3. Plaintiffs Chatter and Banks required more than 30 pages in which to make their factual assertions, without having to make any legal argument in support of their claims.
4. In support of their Motions to Dismiss and to properly explain their arguments, Defendants respectfully request an enlargement, to 50 pages, of the 30 page limit prescribed by Local Rule 7(F)(3).

5. No prejudice accrues to any party should the Court grant this request and Defendants would be prejudiced by the inability to fully present their arguments if the request were denied.

6. The Plaintiffs object to this request.

For the foregoing reasons, Defendants respectfully request that they be permitted to file briefs in support of their Motions to Dismiss in the Chatter and Banks matters of up to 50 pages, exclusive of affidavits and supporting documentation.

DATED: October 10, 2012

Respectfully Submitted,

**FRIEDMAN & MACFADYEN, P.A.
JOHNIE MUNCY**

By Counsel

/s/

Douglas P. Rucker, Jr. (VSB # 12776)
Andrew Biondi (VSB # 48100)
Cullen D. Seltzer (VSB #35923)
SANDS ANDERSON PC
2300 Bank of America Center
1111 East Main Street (23219)
P. O. Box 1998
Richmond, VA 23218-1998
(804) 648-1636
(804) 783-7291 (facsimile)
Email: drucker@sandsanderson.com
Email: abiondi@sandsanderson.com
Email: cseltzer@sandsanderson.com
Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of October, 2012, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of electronic filing (NEF) to the following:

Dale W. Pittman, Esq.
The Law Office of Dale W. Pittman, P.C.
112-A W. Tabb Street
Petersburg, Virginia 23803
Telephone: 804-861-6000
Facsimile: 804-861-3368
dale@pittmanlawoffice.com
Counsel for Plaintiff

John C. Petersen, Esq.
Surovell Isaacs Petersen & Levy PLC
4010 University Drive
Suite 200
Fairfax, Virginia 22030
Telephone: 703-251-5400
Facsimile: 703-591-9285
jpetersen@siplfirm.com
Counsel for Plaintiff

Kristi Cahoon Kelly, Esq.
Surovell Isaacs Peterson & Levy PLC
4010 University Drive
Suite 200
Fairfax, Virginia 22030
Telephone: 703-277-9774
Facsimile: 703-591-2149
kkelly@siplfirm.com
Counsel for Plaintiff

Leonard Anthony Bennett, Esq.
Consumer Litigation Associates, P.C.
12515 Warwick Boulevard
Suite 100
Newport News, Virginia 23606
Telephone: 757-930-3660
Facsimile: 757-930-3662
lenbennett@cox.net
Counsel for Plaintiff

Matthew J. Erausquin, Esq.
Consumer Litigation Associates, P.C.
1800 Diagonal Road
Suite 600
Alexandria, Virginia 22314
Telephone: 703-273-6080
Facsimile: 888-892-3512
matt@clalegal.com
Counsel for Plaintiff

Richard J. Rubin, Esq.
1300 Canyon Road
Santa Fe, New Mexico 87501
Telephone: 505-983-4418
Facsimile: 505-983-2050
dickrubin@cs.com
Counsel for Plaintiff

/s/

Douglas P. Rucker, Jr. (VSB # 12776)
Andrew Biondi (VSB # 48100)
Cullen D. Seltzer (VSB # 35923)
SANDS ANDERSON PC
2300 Bank of America Center
1111 East Main Street (23219)
P. O. Box 1998
Richmond, VA 23218-1998
(804) 648-1636
(804) 783-7291 (facsimile)
Email: drucker@sandsanderson.com
Email: abiondi@sandsanderson.com
Email: cseltzer@sandsanderson.com
Counsel for Defendants